

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, January 19, 2021

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug, Gannon, McCrostie, Ruchti, Nash

**ABSENT/
EXCUSED:** None.

GUESTS: Charlie Spencer, ISP; Brad Johnson, POST ISP; Jan Larsen, Gov; Kyler Sevens, Hillcrest High School; Demile Hatch, Hillcrest High School; Karen Magneli, DAG Parole Commission; Chris Flasler, not stated; Reese Richmond, House Minority Intern; Ashley Dowell, Parole Commission; Justin Low, Rep. Caucus; Mariel Wilson, Rep. Ruchti; Donte Harrington, LSO; Steve Waller, Dept. of Adm.; Jon Mareller, Dept. of Adm.; Brad Little, We the People.

Chairman Chaney called the meeting to order at 1:31 p.m.

RS 28270: **Rep. Blanksma** introduced **RS 28270** pertaining to the amending of the Rules of the House of Representatives to allow for debate from an alternate location within the House Chamber. Specifically, it allows the Speaker of the House to designate an alternative location (alternate point of debate) on the House floor for the purposes of debate only. This temporary rule would be in place until the end of this Legislative Session, it provides a way for members to fully participate in floor sessions and at the same time minimizing the time spent on the House floor and maximizing distance from other individuals.

MOTION: **Rep. Erickson** made a motion to introduce **RS 28270**.

Rep. Blanksma responded to questions, regarding if the designated space be video and audio? The designated point of debate will include the regular audio/video already streaming the floor session. The remote participating member would be in a separate room nearby watching the floor session via lap top, and then could enter into a designated space (distanced from other members) on the House floor to debate, then withdraw from the floor when debate is concluded. This allows for maximum distancing but does not change the need to vote from the members chair.

Chairman Chaney announced that Rep. Gannon has excused himself during the introduction of RS 28270, due to a conflict of interest, in compliance with the House rules which require this when there is a conflict that cannot be waived.

ON MOTION: **Motion carried by voice vote.**

Chairman Chaney turned the gavel over to **Vice Chairman Hartgen**.

DOCKET NO. 11-0000-2000F: **Major Charlie Spencer** with the Idaho State Police presented **Docket No. 11-0000-2000F** regarding the proposed rule changes to: 11.05.01 Rules Governing Alcohol Beverage Control, and 11.10.02 Rules Governing State Criminal History Records and Crime Information. These proposed changes are pursuant to the "Red Tape Reduction Act" intended to remove outdated, obsolete and unused Administrative Rules for the purpose of simplicity and clarity and the changes have been previously analyzed and reviewed by the Legislative Services Office.

MOTION: **Rep. Kerby** made a motion to approve Docket No. **11-0000-2000F**. **Motion carried by voice vote.**

DOCKET NO. 11-1001-2000F: **Major Charlie Spencer** presented **Docket No. 11-1001-2000F** regarding the Rules Governing Idaho Public Safety and Security Information System. These proposed changes are pursuant to the "Red Tape Reduction Act" intended to remove outdated, obsolete and unused Administrative Rules for the purpose of simplicity and clarity and the changes have been previously analyzed and reviewed by the Legislative Services Office.

MOTION: **Rep. McCrostie** made a motion to approve **Docket No. 11-1001-2000F**. **Motion carried by voice vote.**

DOCKET NO. 11-1101-2000F: **Major Charlie Spencer** presented **Docket No. 11-1101-2000F** regarding the Rules of the Idaho Peace Officer Standards and Training Council. These proposed changes are pursuant to the "Red Tape Reduction Act" intended to remove outdated, obsolete and unused Administrative Rules for the purpose of simplicity and clarity and the changes have been previously analyzed and reviewed by the Legislative Services Office.

MOTION: **Rep. Amador** made a motion to approved **Docket No. 11-1101-2000F**. **Motion carried by voice vote.**

Nancy Volle, Program Manager with the Idaho Department of Correction Sex Offender Management Board (SOMB) updated the Committee on SOMB's past year of activities. The SOMB has an eleven (11) member Board and was formed in 2011 to develop, advance, oversee statewide sex offender management practices and to set standards and guidelines of evaluators and examiners who provide services for adult and juvenile sex offenders. This past year a new interactive website was developed that allows providers to apply for certification on line, access information about the SOMB, access the current SOMB roster of providers and obtain necessary training through this online resource. Also much work has been done to simplify and clarify Rule 57.

DOCKET NO. 57-0101-2000F: **Nancy Volle**, Program Manager with the Idaho Department of Correction Sex Offender Management Board (SOMB) presented **Docket No. 57-0101-2000F** regarding the proposed Administrative Rules of the Sexual Offender Management Board. These proposed changes are pursuant to the "Red Tape Reduction Act" intended to remove outdated, obsolete and unused Administrative Rules for the purpose of simplicity and clarity, and the changes have been previously analyzed and reviewed by the Legislative Services Office.

MOTION: **Rep. Amador** made a motion to approved **Docket No. 57-0101-2000F**. **Motion carried by voice vote.**

DOCKET NO. 50-0101-2001 **Ashley Dowell**, Director of the Idaho Commission of Pardons and Parole presented **Docket No. 50-0101-2001** regarding the Rules of the Commission of Pardons and Parole, specifically the service of process. This Rule was originally adopted last year to prevent service of process to the residents of staff and commissioners, and redirect service to the Deputy Attorney General's Office.

MOTION: **Rep. Troy** made a motion to accept the proposed Rule changes. **Motion carried by voice vote.**

DOCKET NO. 50-0101-2101: **Ashley Dowell** presented **Docket No. 50-0101-2101** regarding the Rules of the Commission of Pardons and Parole. This is an emergency temporary Rule adopted by the Commission in November of 2020 as a result of an Idaho Supreme Court Ruling in October 2020. Modifications in the definitions of "pardon" and "commutations" have been made to be in line with that Court Order and time frames for vehicular manslaughter and driving under the influence have been changed to 15 years after someone pleads or is found guilty. The Commission is asking for support to extend the temporary emergency Rule thus allowing time to go through the traditional Rule making process.

MOTION: Rep. Troy made a motion to approved **Docket 50-0101-2101**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 2:02 p.m.

Representative Chaney
Chair

Andrea Blades
Secretary